

project seems to me, clearly, will cause all kinds of backlogs and make it very difficult for our military people to plan. It could actually drive up costs significantly, could it not?

Mrs. HUTCHISON. Yes, and I point out the cost savings projection is \$20 billion over the period we would be closing and then gearing up the bases that are being consolidated.

In addition to that, it has been said the majority intends to bring this \$3.1 billion back in the supplemental, but the supplemental is outside the budget process; therefore, it is going to be \$3.1 billion added to the deficit, which will have to be subtracted from the \$20 billion savings we were envisioning from the BRAC.

I have to say to the distinguished Senator from Alabama, I didn't like some of the recommendations of BRAC, but we passed it, the President signed it, and Congress has mandated the Department of Defense to go through with it. We certainly cannot do it half-way if we are going to be responsible stewards of the security of our country, as well as its tax dollars.

Mr. SESSIONS. I agree. I don't think there is anyone here who is more committed to frugality and trying to manage our dollars well in this Senate. I certainly believe in that strongly. We knew upfront we were going to have to have some initial moneys to make these moves and consolidations to save money for years and years to come.

This has the potential to eliminate the whole process, to eviscerate the process and actually run our costs up over the long run; wouldn't the Senator agree?

Mrs. HUTCHISON. I am very concerned about it. I think we are going to cut back on the savings. We are thwarting the mandate we set down by not going forward.

We should have governed last October 1. We should have gone forward in November and December, but for a variety of reasons, including some on our own side, we didn't do that. Now we have an opportunity to do it, and do it right. I am just hoping, and I haven't given up hope, that we will do this the right way; that we will pay for it so that we achieve the objective of staying within that budget because we can do that. It has been planned for, it has been in the budget, and we shouldn't have to add it to a supplemental and increase the deficit for these particular projects.

Mr. SESSIONS. Mr. President, I thank the excellent Senator from Texas for her work, and I believe she is doing it the right way. She is doing it by staying within our budget.

This funding of BRAC was put in at \$5.5 or \$6 billion. It was within the budget. What has happened is that money was spent on other programs, and now it looks as though if we are to fund it, we are going to have to add it to the supplemental, which is extra spending and extra debt, more than we should have.

I thank Senator HUTCHISON for her leadership.

Mr. BUNNING. Mr. President, will the Senator yield for a question?

Mrs. HUTCHISON. I will be happy to yield to the Senator from Kentucky.

The PRESIDING OFFICER. The gentlewoman yields to the Senator from Kentucky.

Mrs. HUTCHISON. Mr. President, I still control the floor. I am yielding for a question.

The PRESIDING OFFICER. The Senator is yielding for a question.

Mr. BUNNING. Mr. President, I also rise to express my complete dismay at the events that have unfolded on the floor of the Senate this week concerning not only debate on Iraq but the BRAC itself. I hope the American people are watching this debate.

Mr. BYRD. Mr. President, will the very distinguished Senator just allow me 1 minute to make a response to the discussions that have been going on here? Just for 1 minute.

Mrs. HUTCHISON. Mr. President, I will be happy to yield to the Senator from West Virginia for a response for 1 minute.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair, and I thank the Senator.

I want to assure all Senators that this resolution does not reduce funding for AIDS. In fact, it has significant increases with regard to funding for base closures. This resolution has a \$1 billion increase above the levels available under the current continuing resolution. The remaining \$3.1 billion that the Senator from Texas is seeking can be addressed—and I assure her can be addressed—in the war supplemental that the Senate will consider next month. There is no need to cut funding for the FBI, the NIH, for NASA, or for our Nation's highways.

I thank the Senator, and I thank the Chair.

Mrs. HUTCHISON. Mr. President, I yield to the Senator from Kentucky for a question.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

DOING THE SENATE'S BUSINESS

Mr. BUNNING. First of all, I hope the American people are watching the debate and paying close attention to it. This debate is not just an important lesson in civics and civility, it is a debate that goes back to the days of our Founding Fathers. The Founding Fathers created the Senate to be a body of unlimited debate. This institution was created to be a deliberative body. It was not created for speed or for quick action.

I would like to remind my friend, the majority leader, whom I wish were on the floor, that the Senate is not the House of Representatives. The majority leader and I both served in the House of Representatives. Unlike the House, however, we do not have a rules

committee in the Senate that sets the rules for floor debate. Any Senator can come to the floor seeking recognition to speak and offer amendments. In the House, the majority can roll the minority through the Rules Committee. This cannot be done in the Senate. The minority party cannot be ignored. Yet our friends on the other side of the aisle are trying to dictate the terms not only of the debate on Iraq and the resolutions concerning them, they are telling 49 Republicans in the Senate how business will be conducted in the Senate.

I want to be very clear that I would vote in opposition to the Warner resolution. Nonbinding resolutions that question military decisions made by our Commander in Chief and top military generals are not in the best interests of our Nation. But I do support the right of Senator WARNER to get an up-or-down vote on his resolution, even though I would oppose it.

Earlier this week, we had a vote to invoke cloture on the motion to proceed with the Warner resolution. Forty-seven Republicans voted against the motion because we believe we should have more debate, not less, and the ability to offer other resolutions. Yet many of my friends on the other side of the aisle accuse my Republican colleagues of not wanting to debate this issue and not wanting to vote on the Warner resolution. And, not surprisingly, the media is regurgitating the talking points from the other side of the aisle. But nothing could be further from the truth.

Senator WARNER, the author of the resolution favored overwhelmingly by the Democrats, voted against invoking cloture on his own resolution because he believes in Republicans keeping their rights as Senators. We want a fair debate, not a one-sided conversation. We are asking for more debate, not less, like many on the other side of the aisle suggest.

Our request is a simple one. If we are going to vote on the Warner resolution, those of us who oppose this resolution should at least be allowed to offer our own resolution, and the senior Senator from New Hampshire offered his resolution concerning funding for the war in Iraq. Some have said his resolution is incorporated in the Warner resolution, but they are missing two key points. The Gregg resolution expresses our full support of our troops and not support that is just cloaked behind other language that criticizes their mission.

My friend, my good friend, General Petraeus, whom the Senate unanimously confirmed, said in his confirmation hearing that a resolution condemning the President's new Iraq strategy would have a detrimental effect on troop morale. It must be our top priority to assure American troops that we will not cut off their funding midmission. We already are cutting some of their funds, as seen in this year's continuing resolution.

I find it ironic that some of the same Senators who have been on the Senate

floor assuring their full support for the troops are the same individuals who are cutting their funding behind closed doors. I am talking about the funding for the Base Realignment and Construction Program. This is a program that, by law, we have to complete in 6 years. Yet my friends across the aisle have decided not to fund this program because it is not a priority.

Well, it is a priority for me. By doing this, they will cause a delay for up to 1 year for military base construction. Because of this, and I ask my good friend, the Senator from Texas, what happens to the 12,000 troops that will not be able to be redeployed back home from Iraq or from Germany or from around the world?

Mrs. HUTCHISON. Mr. President, I appreciate the Senator from Kentucky asking the question, and I will read a letter signed by all four of the Joint Chiefs of Staff, dated last November, where they are asking that we pass a short-term CR rather than a complete year's CR because they are so concerned about that very issue. They say in their letter:

As required by law, we are executing thousands of interrelated moves to implement all the base realignment and closure projects by September 2011 and to reposition our forces under the Global Defense Posture review. Disruptions in resources will cause delays and desynchronize these moves. This, in turn, can disrupt our force generation and deployment schedules, which ultimately degrades readiness while increasing the burden on servicemembers and their families.

So we know now from their own reports, I would say to the Senator from Kentucky, that 12,000 of those who are scheduled to be coming home just this year are going to be delayed, which is going to cause a domino effect all the way down the line. It is incomprehensible that we have this opportunity, but we are not able to go forward.

I thank the Senator from Kentucky for asking the question.

Mr. BUNNING. Mr. President, to say that I find this disappointing is quite an understatement.

I ask the majority leader to allow us to have a full and fair debate on the CR and allow us to offer amendments. We should be able to debate and vote on the Gregg resolution. This is a resolution that does not play into our enemies' hands. General Petraeus commented that a commander needs to show the enemy that there is no hope of victory. The Gregg resolution does this. It expresses our absolute support for our Commander in Chief and our men and women in Iraq, instead of showing that the will of the American people has been stripped by opportunistic terrorists.

Mr. President, for Republicans, this is not about a Senate procedural process but about the priorities of the American people. Our Republican leader, my colleague from Kentucky, has tried all week to negotiate to get a vote on the Gregg resolution, in conjunction with the other resolution, the Warner resolution. I appreciate Sen-

ator MCCONNELL's efforts, but the majority leader, and many on both sides of the aisle, do not want the vote on the Gregg resolution. Instead, they claim that Republicans do not want to debate the war in Iraq. This is completely false. The American people need to know that, and the media needs to report the truth.

No one Republican, not one to whom I have spoken, is running from this debate. We want to debate the war in Iraq. Many of us oppose the Warner resolution. It is nonbinding. It sends the wrong message to our enemies and our allies. It will not end the war in Iraq, and it will not bring peace to the Middle East. But we should vote on it, and we should vote on the Gregg resolution because even though the Gregg resolution is nonbinding, it actually relates to the proper role of the Congress with respect to war.

Essentially, the Gregg resolution says that Congress will not vote to defund the war when we have troops in harm's way. This is the proper role of Congress. It does not deter from the Commander in Chief. We don't dictate military strategy, but we do have the power of the purse. We can either fund the war or not fund the war. I am not a lawyer, thank God, but I have spent over two decades in Congress, in both the House and the Senate. And I know the proper role of the legislative branch. I know the rules of the House, and I know the rules of the Senate. I also know the importance of not sending the wrong message to our troops in the field.

Mr. President, I have voted to send my own son into war. That was the gulf war. I know the stakes are very high. I know this is an issue that is on every American's mind. But I resent my colleagues on the other side of the aisle saying that Republicans are running from this debate. We are not. I hope today that we can remind my colleagues that this is the U.S. Senate, and the minority has its say. We should vote both on the Warner resolution and the Gregg resolution and we should also vote to have amendments to the CR and be able to address the BRAC problem that we face and what will happen if they reduce this by \$3.2 billion.

I have an editorial of the New York Times I will submit for the RECORD at this time. I ask unanimous consent that it be printed in the RECORD, and I yield to my good friend from Texas.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 7, 2007]

IT'S THE WAR, SENATORS

It is not an inspiring sight to watch the United States Senate turn the most important issue facing America into a political football, and then fumble it. Yet that is what now seems to have come from a once-promising bipartisan effort to finally have the debate about the Iraq war that Americans have been denied for four years.

The Democrats' ultimate goal was to express the Senate's opposition to President

Bush's latest escalation. But the Democrats' leaders have made that more difficult—allowing the Republicans to maneuver them into the embarrassing position of blocking a vote on a counterproposal that they feared too many Democrats might vote for.

We oppose that resolution, which is essentially a promise never to cut off funds for this or any future military operation Mr. Bush might undertake in Iraq. But the right way for the Senate to debate Iraq is to debate Iraq, not to bar proposals from the floor because they might be passed. The majority leader, Harry Reid of Nevada, needs to call a timeout and regroup. By changing the issue from Iraq to partisan parliamentary tactics, his leadership team threatens to muddy the message of any anti-escalation resolution the Senate may eventually pass.

As it happens, the blocked Republican alternative, proposed by Judd Gregg of New Hampshire, itself represents an end run around the Senate's constitutional responsibilities. The rational way to oppose cuts in funds is to vote against them, if and when any ever come before the Senate. Mr. Reid should not be shy about urging fellow Democrats to vote against this hollow gimmick, which tries to make it look as if the senators support Mr. Bush's failed Iraq policies by playing on their fears of being accused of not supporting the troops.

America went to war without nearly enough public discussion, and it needs more Senate debate about Iraq this time around, not less. The voters who overturned Republican majorities in both houses last November expect, among other things, to see energized Congressional scrutiny of the entire war—not just of the plan for an additional 21,500 troops but also of the future of the 130,000 plus who are already there.

Another Republican resolution, proposed by Sen. John McCain, gives the appearance of moving in that more promising direction by ticking off a series of policy benchmarks and then urging the Iraqi government to meet them. But listing benchmarks is one thing. It is another to spell out real consequences for not meeting them, like the withdrawal of American military support. Instead of doing that, the McCain resolution hands an unwarranted blank check to Mr. Bush's new Iraq commander, Lt. Gen. David Petraeus. It breathetakingly declares that he "should receive from Congress the full support necessary" to carry out America's mission.

Frustrated by the Senate's fumbles, the House plans to move ahead next week with its own resolution on Mr. Bush's troop plan. When the Senate is ready to turn its attention back to substance again, it should go further.

Senators need to acknowledge the reality of four years of failed presidential leadership on Iraq and enact a set of binding benchmarks. These should require the hard steps toward national reconciliation that the Iraqi prime minister, Nuri Kamal al-Maliki continues to evade and that the White House refuses to insist on.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I will yield up to 15 minutes to Senator ROBERTS, after which I will yield up to 10 minutes to the Senator from Georgia, Senator CHAMBLISS.

I am going to send my remarks to the desk and ask unanimous consent they be printed in the RECORD after Senator CHAMBLISS has spoken. I will need to follow him in that order. I ask unanimous consent my remarks be printed in the RECORD after Senator CHAMBLISS.

The PRESIDING OFFICER. Is there objection to the sequence of speakers? The Senator from Washington.

Mrs. MURRAY. Reserving the right to object. I ask to amend the request of the Senator to limit each Senator to 15 minutes apiece, under her order. But I also request Senator KENNEDY be inserted after your first two speakers, so the order I believe—your first two speakers were?

Mrs. HUTCHISON. Senator ROBERTS and Senator CHAMBLISS.

Mrs. MURRAY. I ask unanimous consent Senator KENNEDY be allowed 15 minutes after Senator CHAMBLISS.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, Senator INHOFE has been here for several hours as well. He has been waiting patiently, as has Senator SHELBY. I ask if it would be possible to allow the people who are on the floor to be put in an order. If Senator KENNEDY would be able to then come after Senator ROBERTS, Senator CHAMBLISS, Senator SHELBY, and Senator INHOFE?

Mrs. MURRAY. Mr. President, again reserving the right to object, what we do on the floor is allow Senators to go back and forth. Senator KENNEDY has also been waiting. He is not on the floor, but he has been waiting his turn.

I again ask if the Senator will allow us to go ahead and let your two Republican Senators speak, then allow Senator KENNEDY to speak, and then go back to your side of the aisle?

The PRESIDING OFFICER. The Senator from Texas?

Mrs. HUTCHISON. Mr. President, at this point I think I will keep the floor and yield to Senator ROBERTS for 15 minutes and let me talk to Senator MURRAY. I wish to try to accommodate Senator MURRAY, but I will not do that at this time.

I yield up to 15 minutes to Senator ROBERTS.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Parliamentary inquiry: I assume the Senator from Texas can only yield for a question at this time; is that not correct?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Texas withhold for a second. It takes unanimous consent to yield for more than a question.

Mrs. HUTCHISON. Mr. President, I believe the Senator from Washington asked for me to yield to her for a question, and I will yield to her for a question.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at this time I will object. I will suggest the absence of a quorum—

Mrs. HUTCHISON. Mr. President, I have the floor.

Mrs. MURRAY. Mr. President, I object.

Mrs. HUTCHISON. Mr. President, I have the floor.

The PRESIDING OFFICER. Objection is heard. The Senator from Texas. Mrs. HUTCHISON. Mr. President, I will yield to the Senator from Kansas for a question at this time. For a question only.

The PRESIDING OFFICER. The Senator from Kansas.

BRAC

Mr. ROBERTS. Mr. President, I do have a question, and it involves what I believe to be an utter failing by Congress on behalf of our Nation's military men and women. My question to my colleague from Texas is this. I know in Kansas we are at risk of losing \$365 million in regard to BRAC construction. My question would be to the Senator whether the same thing is true in Texas.

I think, probably to put it in perspective, I need to get a little background information so the Senator could reply. That brings attention to why I am bringing a question to the distinguished Senator and why I wished to take the floor for 15 minutes. I hope we don't get into an objection. I certainly have no problem with Senator KENNEDY speaking on any subject. I think he does that very well—and often.

Basically, let me say, with apologies to the Lizzie Borden family, that:

The Democrat House took a continuing resolution axe,
and gave the military 40 whacks,
and when they saw what they had done,
then they gave Kansas 41.

I don't think that is right. I am not here to speak about our military presence in Iraq. We have moved away from the debate on our presence in Iraq. We must now address the issue of support for our troops at home, and that is why I am going to ask the Senator a question, as soon as I give the background in regard to the question I have.

As we have heard some of my colleagues already state today, we are in danger of underfunding military construction associated with BRAC by over \$3 billion—actually it is \$3.1 billion. Should the Senate let this occur, we will have failed our Nation's soldiers and their families.

Why did this occur? Because there was \$6 billion within the military budget, within the Department of Defense, who wanted \$6 billion for BRAC construction. Is that not correct, I ask my distinguished friend?

Mrs. HUTCHISON. The distinguished Senator from Kansas is exactly right. You know, it was pointed out earlier that we had \$1.5 billion in fiscal year 2006, with the implication that we were increasing from that amount in this budget because it has \$2.5 billion. The problem is, in 2006, the money was planning money, now we are trying to actually build the project and we are missing \$3.1 billion. Now we are in the building stage.

Mr. ROBERTS. Basically, if I understand the Senator, we are down to \$2.88 billion, which means if we had a whole

pie and there were six slices, now we are down to less than three. And somehow or other the Department of Defense has to spread that money for BRAC construction to these other projects? That is going to be extremely difficult.

I am trying to figure out why on Earth the House acted in such a fashion. I think it is, if I read the press about this—and I ask the Senator if she would agree—it is that under the banner of "earmark reform," there was at least a theory, by some, that all of the money in the \$6 billion was somehow earmarks.

I ask another question. The \$3.1 billion is the first time in my memory where we have had a breach in the agreement to say we are not going to fund nondefense programs—which are very meritorious and should stand on their own right, and I support many of them—out of the military budget. I can't remember when we have done that.

Mrs. HUTCHISON. The Senator is correct. I have no memory of ever doing that. Of course, there are no earmarks in the BRAC funding. The funding, the \$3.1 billion that was set out was all Department of Defense. They are doing the planning for BRAC, not Congress. There are no earmarks.

Mr. ROBERTS. If I could ask my distinguished colleague one more question? I am going to own up. The \$365 million for Kansas in BRAC construction funding, there were no earmarks to that, no earmarks. That was requested by the Department of Defense and put in the President's budget for projects that are essential for our men and women in uniform when they come back from Iraq.

There were three earmarks in there. They are gone and I understand that. I had one for a childcare center, TODD TIAHRT had one for lighting a ramp on a runway—I don't know what you are going to do if you don't have any lights on a runway when you land—and then there was another vehicle maintenance center at Fort Riley to take all the humvees and vehicles back from the desert and get them fixed up and replenished. They are gone. The rest of it, the \$365 million that is at risk in Kansas, goes for projects in regard to BRAC construction.

I don't know if this happened because of somebody who didn't know what was going on—sheer incompetence or ignorance—or this was political, under the banner that we are going to stop all the earmarks. This is not an earmark.

As a matter of fact, let me ask the Senator from Texas a question. Is not the breach of taking \$3.1 billion from military spending and putting it over into non-Federal spending—isn't that an earmark, a \$3.1 billion earmark by itself?

Mrs. HUTCHISON. It would appear the Senator is correct.

Mr. ROBERTS. Let me go on with a little background about this because I want the Senator to understand how